

SESSION OF 2019

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2365

As Recommended by House Committee on
Veterans and Military

Brief*

HB 2365 would amend law concerning the peer support counseling session communication privilege within the Code of Civil Procedure. Specifically, the bill would provide that any notes, records, or reports arising out of a peer support counseling session relating to National Guard members would be confidential and exempt from the Kansas Open Records Act. This provision would expire on July 1, 2024, if not reenacted by the Legislature prior to that date. The bill also would define "National Guard member" as a regularly enlisted, officer, or civilian member of the Kansas National Guard, and add references to such members throughout the section.

Background

The bill was introduced by the House Committee on Judiciary at the request of Representative Patton, on behalf of Representative Clark. The bill was referred to the House Committee on Veterans and Military.

In the House Committee on Veterans and Military hearing, a representative of the Kansas Adjutant General's Department testified in support of the bill. The representative stated confidentiality is necessary to encourage member participation in the peer support program. No other testimony was provided.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

The House Committee recommended the bill be placed on the Consent Calendar.

According to the fiscal note prepared by the Division of the Budget, the Kansas Adjutant General's Department indicates enactment of the bill would have no fiscal effect on agency operations.